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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,126

11/03/2003

Michael A. Lassner

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EXAMINER

HASSAN, AURANGZEB

ART UNIT

PAPER NUMBER

2182

NOTIFICATION DATE

DELIVERY MODE

04/09/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/700,126	Applicant(s) LASSNER, MICHAEL A.	
	Examiner AURANGZEB HASSAN	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,12,15-19 and 24-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-10,12,15-19 and 24-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5, 7, 8, 10, 16, 17, 24, 25, 27 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Okada et al. (US Publication Number 2004/0138964, hereinafter "Okada") in view of Ogasawara (US Publication Number 2003/0045979).

3. As per claims 1, 10, 16, 24 and 27 Okada teaches a method, system, and device comprising: identifying with a printing device (printer 10 coupled to a print system comprising computer 30, figure 1) a region code stored on a component installed within the printing device (identifying region code stored on 24, figure 4, internal auxiliary storage, paragraph [0046]); and setting a geographical region (initial setting module 91 of figure 4, sets as shown in figure 5 a geographical region) for

Art Unit: 2184

the printing device to be the geographical region identified by the region code such that only components intended for that geographical region can be used with the printing device (once URL region is set user is allowed to make purchases only according to the geographical region as initialized, paragraph [0085]).

Okada teaches a printing device containing a region code however does not explicitly disclose that the region code is in the printer itself and the code is locked therein.

Ogasawara teaches identifying with a peripheral device (DVD Player 9 , figure 1) a region code stored on a component (Examiner notes region codes are also stored on element 16, figure 1) installed within the peripheral device (paragraph [0005], region code stored, paragraph [0026]), the region code identifying a particular geographical region (paragraph [0029]); and

locking a geographical region for the peripheral device to be the geographical region identified by the region code (paragraph [0030], figure 2).

The Examiner sites rationale that Okada teaches a peripheral printing system 1 comprised of a printer 10 and computer 30 in figure 1 which asserts a region code as a system and Ogasawara teaches a peripheral (DVD player 9, figure 1) in

which the region code is stored directly on the peripheral and teaches of locking to allow for manufacturer gains (paragraph [0030], figure 2).

All of the components of Okada and Ogasawara were known at the time of the applicant's claimed invention the only difference is the combination of the known elements in a single peripheral printer device thus it would have been obvious to one of ordinary skill in the art to combine all the elements in a single printer to yield a predictable result of regionalization of devices.

4. Okada modified by the teachings of Ogasawara as applied in claim 1 above, as per claims 5 and 17, Okada teaches a method, system and device wherein setting a geographical region comprises locking the region code for the printing device such that only components intended for sale in that geographical region can be used with the printing device (once the geographical region is initialized the region code is locked in the URL, figure 5).

5. Okada modified by the teachings of Ogasawara as applied in claim 1 above, as per claims 7 and 28 Okada teaches a method and device further comprising providing the region code to a user

Art Unit: 2184

computer (user is supplied with the region code paragraphs [0065 and 0068]).

6. Okada modified by the teachings of Ogasawara as applied in claim 1 above, as per claim 8, Okada teaches a method and system further comprising accessing a database on the user computer that cross-references the region code with components available for use with the printing device to identify components that can be presented to a user for purchase (cross-reference URL with Web Page database, paragraphs [0041 - 0043], to list components available to a user as seen in steps S204 and S205 in figure 10).

7. Okada modified by the teachings of Ogasawara as applied in claim 1 above, as per claim 25, Okada teaches a device wherein the region identification system (printer utility s102, figure 5) is configured to set the region code for the printing device only after a predetermined criterion is satisfied (predetermined criterion to set the region code is clicking/selecting the "OK" button in the printer utility as seen in figure 6).

Art Unit: 2184

8. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Ogasawara further in view of Walker et al. (US Patent Number 6,494,562 hereinafter "Walker").

9. As per claim 3, Okada/Ogasawara teaches a method where manufacture information is embedded within the memory of a print cartridge that is installed within the printing device (memory of cartridge utilized by the processor of the printer, paragraphs [0056 & 0096]).

Okada does not explicitly include the region code in the information embedded within the memory of the print cartridge.

Walker teaches a method wherein identifying a region code comprises reading a region code embedded within memory of a print cartridge (cartridge 14, figure 1) that is installed within the printing device (region code information store in memory 42, figure 2).

The claim would be obvious because the technique for improving a particular I/O device by reading characteristics stored on components with memory was part of the ordinary capabilities of a person of ordinary skill in the art in view of the teaching of the technique for improvement in read/store organization in computer readable storage medium.

Art Unit: 2184

10. Okada/Ogasawara modified by the teachings of Walker as applied in claim 3 above, as per claim 4, Okada teaches a method wherein setting a geographical region comprises storing the identified region code in device memory of the printing device (register area 96 stores the selected URL 97, paragraph [0060]).

11. Claims 6, 15, 18 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Ogasawara further in view of Hopper et al. (US Publication Number 2003/0071726, hereinafter "Hopper").

12. As per claims 6, 15, 18 and 26 Okada/Ogasawara teaches a method wherein locking the region codes comprises determining the level of ink by the printing device and locking the region code if the number of pages reaches a predetermined ink level threshold (Okada: once the ink level reaches a predetermined threshold the URL is locked and proceeds to display consumable consumer options, paragraphs [0085 - 0087]).

Okada does not teach a threshold that is based on the number of pages that can be printed.

Hopper teaches a threshold based upon the number of pages printed to determine the amount of ink left (paragraph [0033]).

It would have obvious to one of ordinary skill in the art at the time of the Applicant's invention utilize a simplified static number of pages printed as a threshold value of Hopper instead of the dynamic ink level threshold of Okada/Ogasawara. One of ordinary skill in the art would be motivated to make such modification in order to enhance flexibility in active monitoring and maintenance of printers (paragraph [0005]).

13. Claims 9, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Ogasawara further in view of Maehara (US Publication Number 2004/0125393).

14. Okada/Ogasawara teaches a printing device database access (Okada: cross-reference URL with Web Page database, paragraphs [0041 - 0043]).

Okada/Ogasawara does not explicitly disclose a driver for the access.

Maehara teaches a method and system wherein providing the region code comprises providing the region code to a device driver that executes on the user computer and wherein accessing a database comprises accessing the database with the device driver (Maehara: upon detection of an error the region is update for a user to access via a Web database paragraph [0103-0104]).

The printing device of Okada/Ogasawara and Maehara are comparable, as it is known to one of ordinary skill in the art that I/O devices require device drivers for interfacing. The claim would be obvious because the technique of device driver data access for control functionality was part of the ordinary capabilities of a person of ordinary skill in the art in view of the teaching of the technique for device data interface interaction/communication in a similar situation.

Response to Arguments

15. Applicant's arguments with respect to claims 1, 3, 4, 6 - 10, 12, 15 - 19 and 24 - 28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS

Art Unit: 2184

of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AURANGZEB HASSAN whose telephone number is (571)272-8625. The examiner can normally be reached on Monday - Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Tsai can be reached on (571)272-4176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2184

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH

**/Henry W.H. Tsai/
Supervisory Patent Examiner, Art Unit 2184**